



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 06 2020

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Thomas R. Carper
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Senator Carper:

On behalf of the U.S. Environmental Protection Agency, I am writing in response to your letter dated February 5, 2020, in which you sought information regarding the EPA's relationship with the Environmental Council of the States (ECOS).

The Agency has a strong relationship with state leaders and continues to work with states on both policy and implementation. The EPA did not engage in any retaliatory action towards ECOS. The EPA has awarded ECOS more than \$2.5 million in grants since Fiscal Year 2017, including \$363,000 in grants that were recently approved. The Agency views the work that ECOS does with this grant money as important to our joint mission of protecting human health and the environment. The Agency at no point threatened ECOS with any reduction in funding. The EPA continues to support ECOS through grant funding as part of two separate five-year, multi-million dollar cooperative agreements to fund state-run projects. One of the cooperative agreements provides funding to ECOS' Interstate Technology and Regulatory Council (ITRC) and the other cooperative agreement provides omnibus support to a variety of ECOS projects. Details on the most recently issued grants and their funding status are below.

The EPA recently approved \$98,000 in additional funding for ECOS' cooperative agreement with the ITRC. On November 14, 2019, the additional \$98,000 grant was cleared and the process for funding was initiated by the Agency. The process to fund the ITRC project included procedural steps from the EPA's Office of Congressional and Intergovernmental Relations (OCIR) and the Office of Grants and Debarment (OGD). First, the OCIR project officer sent the ITRC change request to OGD on November 20, 2019. After it was received by OGD, there is a 45-day timeframe for the Agency to deliver the grant to the recipient. On January 9, 2020, the OGD awarding official signed the ITRC award package. This also included a 1-week review from Congress, which occurred from January 9, 2020 through January 16, 2020. On January 13, 2020, the funds appeared in the Agency's financial management system as obligated/available for expenditure. On January 16, 2020, a notification letter was mailed to the grantee. This

\$98,000 grant is just the most recent award. Since 2014, the EPA has awarded \$917,000 to fund the ECOS-ITRC cooperative agreement.

The EPA also recently approved \$265,000 in additional funding for ECOS' omnibus cooperative agreement. As is typical in allocating resources, EPA officials met on January 30, 2020 to evaluate the three new project proposals and identified the need for additional information to understand the projects' anticipated outputs and environmental results. EPA staff communicated this request to ECOS, and staff from the two organizations collaborated to clarify the proposed projects. On February 3, 2020, EPA officials met again to discuss the proposed projects, and EPA Associate Deputy Administrator Doug Benevento provided the Agency's clearance to approve the grants with the expectation that ECOS would soon provide additional requested clarifying details. ECOS provided three revised work plans by February 12, 2020. EPA staff reviewed the updated work plans, determined that the requested details addressed the Agency's concerns, and moved forward to fund the projects. The three projects are now on their way to being funded by the Agency. On February 18, 2020, the OCIR project officer moved the funding package to OGD. Next, the OGD awarding official will sign the award package, Congress will have a 1-week review period, the funds will be obligated/available for expenditure, and the notification letter will be mailed to the grantee. EPA staff are working to ensure that this will all occur within 45 days. Since 2016, the EPA has provided ECOS \$1.6 million in grants to fund projects under the ECOS omnibus cooperative agreement.

In contrast to your characterization of the EPA-ECOS relationship as "strained," the two organizations have continued to collaborate on projects that the EPA has funded to advance our shared goals of environmental protection across the United States. In fact, shortly before you sent your letter, senior Agency officials—including EPA Associate Deputy Administrator Benevento—met with senior officials from ECOS to discuss current and future opportunities for collaboration. Soon thereafter, on January 29, 2020, the Agency received a letter from ECOS, recognizing the mutual respect and understanding between the two organizations and highlighting ten recent accomplishments derived from EPA-ECOS collaboration.

Furthering this successful partnership, on February 5, 2020, Administrator Wheeler sent a letter to the leaders of environmental departments for each of the fifty states. This letter reflects on our common mission of environmental protection and shared accomplishments over the past three years. Moreover, this letter highlights examples where states and EPA have worked together successfully and acknowledges the EPA and state agency staff who exemplify the creed of our shared mission on a daily basis. Enclosed, please find copies of both letters. We trust that they demonstrate the long history and continued effort of the EPA to work with states to safeguard public health and the environment for the American people.

Enclosed is an initial production of documents responsive to your request. As additional documents responsive to your request are identified, we will provide them to you on a rolling basis as they become available.

The Agency recognizes the importance of the Committee's need to obtain information necessary to perform its legitimate oversight functions and is committed to continuing to work with your staff on how best to accommodate the Committee's interests. If you have further questions, you

may contact me or your staff may contact Kristien Knapp in the EPA's Office of Congressional and Intergovernmental Relations at knapp.kristien@epa.gov or (202) 564-3277.

Sincerely,

A handwritten signature in blue ink, reading "John A. Brazauskas, Jr.", with a stylized flourish at the end.

Joseph A. Brazauskas, Jr.
Associate Administrator

Enclosures

cc: The Honorable John Barrasso, Chairman